1	BILL LOCKYER, Attorney General	
2	of the State of California JOSE R. GUERRERO, State Bar No.97276	
3	Supervising Deputy Attorney General CATHERINE E. SANTILLAN	
4	Senior Legal Analyst California Department of Justice 455 Golden Gate Avenue, Suite 11000	
5	San Francisco, CA 94102-7004 Telephone: (415) 703-5579	
6	Facsimile: (415) 703-5480	
7	Attorneys for Complainant	
8	BEFORE THE RESPIRATORY CARE BOARD	
9	DEPARTMENT OF CONSUMER AFFAIRS STATE OF CALIFORNIA	
10		Case No. R-2039
11	In the Matter of the Accusation Against:  DEBRA LUDLOW	Case No. R-2039
12	P.O. Box 504 Forest Ranch, CA 95942	STIPULATED SURRENDER OF LICENSE AND ORDER
13	Torest Rullen, CH 75742	LICENSE AND ORDER
14	Respiratory Care Practitioner License No. 10111	
15	Respondent.	
16		ı
17	IT IS HEREBY STIPULATED AND AGREED by and between the parties in this	
18	proceeding that the following matters are true:	
19	<u>PARTIES</u>	
20	1. Stephanie Nunez (Complainant) is the Executive Officer of the	
21	Respiratory Care Board of California. She brought this action solely in her official capacity and	
22	is represented in this matter by Bill Lockyer, Attorney General of the State of California, by	
23	Catherine E. Santillan, Senior Legal Analyst.	
24	2. Debra Ludlow (Respondent) is representing herself in this proceeding and	
25	has chosen not to exercise her right to be represented by counsel.	
26	3. On or about March 10, 1986, the Respiratory Care Board of California	
27	issued Respiratory Care Practitioner License No. 10111 to Debra Ludlow (Respondent). The	
28	License was in full force and effect at all times relev	ant to the charges brought in Accusation No.

R-2039 and will expire on July 31, 2007, unless renewed.

# <u>JURISDICTION</u>

28 ///

4. Accusation No. R-2039 was filed before the Respiratory Care Board (Board), Department of Consumer Affairs, and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent on July 19, 2006. Respondent timely filed her Notice of Defense contesting the Accusation. A copy of Accusation No. R-2039 is attached as Exhibit A and incorporated herein by reference.

### **ADVISEMENT AND WAIVERS**

- 5. Respondent has carefully read, and understands the charges and allegations in Accusation No. R-2039. Respondent also has carefully read, and understands the effects of this Stipulated Surrender of License and Order.
- 6. Respondent is fully aware of her legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation; the right to be represented by counsel, at her own expense; the right to confront and cross-examine the witnesses against her; the right to present evidence and to testify on her own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.
- 7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

#### **CULPABILITY**

- 8. Respondent admits the truth of each and every charge and allegation in Accusation No. R-2039, agrees that cause exists for discipline and hereby surrenders her Respiratory Care Practitioner License No. 10111 for the Board's formal acceptance.
- 9. Respondent understands that by signing this stipulation she enables the Board to issue an order accepting the surrender of her Respiratory Care Practitioner License without further process.

### **CONTINGENCY**

10. This stipulation shall be subject to approval by the Respiratory Care		
Board. Respondent understands and agrees that counsel for Complainant and the staff of the		
Respiratory Care Board of California may communicate directly with the Board regarding this		
stipulation and surrender, without notice to or participation by Respondent. By signing the		
stipulation, Respondent understands and agrees that she may not withdraw her agreement or seek		
to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails		
to adopt this stipulation as its Decision and Order, the Stipulated Surrender and Disciplinary		
Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal		
action between the parties, and the Board shall not be disqualified from further action by having		
considered this matter.		

- 11. The parties understand and agree that facsimile copies of this Stipulated Surrender of License and Order, including facsimile signatures thereto, shall have the same force and effect as the originals.
- 12. In consideration of the foregoing admissions and stipulations, the parties agree that the (Board) may, without further notice or formal proceeding, issue and enter the following Order:

#### **ORDER**

IT IS HEREBY ORDERED that Respiratory Care Practitioner License No. 10111, issued to Respondent Debra Ludlow is surrendered and accepted by the Respiratory Care Board.

- 13. Respondent shall lose all rights and privileges as a respiratory care practitioner in California as of the effective date of the Board's Decision and Order.
- 14. Respondent shall cause her license to be delivered to the Board on or before the effective date of the Decision and Order.
- 15. Respondent fully understands and agrees that if she ever files an application for licensure or a petition for reinstatement in the State of California, the Board shall treat it as a petition for reinstatement. Respondent must comply with all the laws, regulations and procedures for reinstatement of a revoked license in effect at the time the petition is filed,

1	and all of the charges and allegations contained in Accusation No. R-2039 shall be deemed to be		
2	true, correct and admitted by Respondent when the Board determines whether to grant or deny		
3	the petition.		
4	16. Respondent shall pay the Board its costs of investigation and enforcement		
5	in the amount of \$1,010.00 prior to issuance of a new or reinstated license.		
6	<u>ACCEPTANCE</u>		
7	I have carefully read the Stipulated Surrender of License and Order. I understand		
8	the stipulation and the effect it will have on my Respiratory Care Practitioner License. I enter		
9	into this Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and		
10	agree to be bound by the Decision and Order of the Respiratory Care Board.		
11	DATED: September 8, 2006		
12			
13	Original signed by: Debra Ludlow		
14	Respondent		
15			
16	<u>ENDORSEMENT</u>		
17	The foregoing Stipulated Surrender of License and Order is hereby respectfully		
18	submitted for consideration by the Respiratory Care Board of the Department of Consumer		
19	Affairs.		
20	DATED: September 8, 2006		
21			
22	BILL LOCKYER, Attorney General of the State of California		
23	of the State of Camornia		
24	Original signed by:		
25	Original signed by: CATHERINE E. SANTILLAN Senior Legal Analyst		
26	Schiol Legal Alialyst		
27			
28			

## BEFORE THE RESPIRATORY CARE BOARD DEPARTMENT OF CONSUMER AFFAIRS STATE OF CALIFORNIA

In the Matter of the Accusation Against: Case No. R-2039

DEBRA LUDLOW P.O. Box 504 Forest Ranch, CA 95942

Respiratory Care Practitioner License No. 10111

Respondent.

### **DECISION AND ORDER**

The attached Stipulated Surrender of License and Order is hereby adopted by the Respiratory Care Board, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on October 30, 2006.

It is so ORDERED October 19, 2006.

Original signed by: LARRY L. RENNER, BS, RRT, RCP, RPFT PRESIDENT, RESPIRATORY CARE BOARD DEPARTMENT OF CONSUMER AFFAIRS STATE OF CALIFORNIA